

United States Bankruptcy Court
Northern District of Ohio
Eastern Division

IN RE	}	CASE NO. 14-14888
	}	
CHARLES TIMOTHY MURPHY	}	CHAPTER 7 PROCEEDINGS
	}	
Debtor	}	
<hr style="width: 40%; margin-left: 0;"/>	}	
CHARLES TIMOTHY MURPHY	}	CHIEF JUDGE PAT E.
	}	MORGENSTERN-CLARREN
	}	
Plaintiff	}	ADV. PROC. NO. 14-1202
	}	
v.	}	
	}	
SALLIE MAE, et al.	}	
	}	
Defendants	}	

**ANSWER OF DEFENDANT/INTERVENOR TEXAS GUARANTEED
STUDENT LOAN CORPORATION**

Now comes Texas Guaranteed Student Loan Corporation (hereinafter "TGSLC"), Defendant/Intervenor, leave of Court having been given and for its Answer to the Complaint herein says as follows:

FIRST DEFENSE

1. It admits the allegations in paragraphs 1, 2, 3 and 4 of the Complaint.
2. It denies for lack of knowledge sufficient to form a belief as to the truth thereof, and to require strict proof thereof, the allegations of paragraphs 5, 6 and 7 of the Complaint.
3. In further Answer to paragraph 5 of the Complaint, this Defendant/Intervenor states that it is the holder by assignment of two (2) qualifying student loans previously serviced by Navient Solutions, formerly known as Sallie Mae Servicing, which have a balance of

{00229719-1}

approximately Eighteen Thousand Three Hundred Ninety-six Dollars and Eighty-six Cents (\$18,396.86).

SECOND DEFENSE

4. The Complaint fails to state a claim upon which this Court may grant relief.

THIRD DEFENSE

5. The Plaintiff has failed to avail himself of administrative remedies available to him short of bankruptcy discharge for dealing with his student loan indebtedness.

WHEREFORE, having fully Answered, Defendant/Intervenor TGS LC prays that the Court find that the student loans held by it are non-dischargeable pursuant to 11 U.S.C. §523(a)(8) and for such other and further relief as is proper in the premises.

Respectfully submitted:

/s/ Frederick S. Coombs, III

Frederick S. Coombs, III, Esq. (0008889)
HARRINGTON, HOPPE & MITCHELL, LTD.

26 Market Street, Suite 1200

P.O. Box 6077

Youngstown, Ohio 44501

Telephone: (330) 744-1111

Facsimile: (330) 744-2029

E-mail: fcoombs@hhmlaw.com

**Attorney for Texas Guaranteed Student
Loan Corporation**

CERTIFICATE OF SERVICE

I certify that on January 2, 2015, a true and correct copy of the **Answer of Defendant/Intervenor Texas Guaranteed Student Loan Corporation** was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Wesley A. Johnston, Esq., on behalf of Charles T. Murphy, Plaintiff, at wesleyajohnston@gmail.com

Erin E. Brizius, Assistant United States Attorney, on behalf of the United States of America, at Erin.E.Brizius2@usdoj.gov

/s/ Frederick S. Coombs, III

Frederick S. Coombs, III, Esq. (0008889)

HARRINGTON, HOPPE & MITCHELL, LTD.

26 Market Street, Suite 1200

P.O. Box 6077

Youngstown, Ohio 44501

Telephone: (330) 744-1111

Facsimile: (330) 744-2029

E-mail: fcoombs@hhmlaw.com

**Attorney for Texas Guaranteed Student
Loan Corporation**